



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hayden et al

Serial No: 10/617,334

Art Unit: 1652

Filed: 10 July 2003

Examiner: Steadman, D.

TITLE: METHODS AND REAGENTS FOR MODULATING CHOLESTEROL LEVELS

Docket No.: 760050-91

28 February 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449, which may be material to the patentability of the above-identified application. Applicant(s) make no admission that the cited references are prior art or that these references are in fact material to the patentability of the above-entitled application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

 X §1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR

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- (3) Before the mailing of a first Office Action on the merits.
No fee or statement is required.

____ §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
(2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

- ____ The statement as specified in 37 CFR §1.97(e) set out below; OR
____ The fee of \$180.00 under 37 CFR §1.17(p).

____ §1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR
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BUT filed on or before payment of the Issue Fee; AND
is accompanied by:

- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND
(2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
(3) The petition fee of \$180.00 set out in 37 CFR §1.17(i).

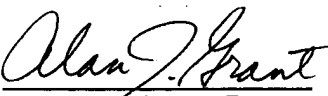
____ §1.97(e) The undersigned Attorney hereby states that:

- ____ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement;
or
____ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

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The Examiner is respectfully requested to consider and make of record all of the cited documents.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

<p>FIRST CLASS CERTIFICATE</p> <p>I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:</p> <p>Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450</p> <p> 2/28/06 Alan J. Grant, Esq. Date</p>

Respectfully submitted,



Alan J. Grant, Esq.
Reg. No. 33,389

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Form PTO-1449

Atty. Docket:
760050-91Serial No.:
10/617,334

INFORMATION DISCLOSURE STATEMENT

Applicant: Hayden, et al.

Filing Date: 10 July 2003

Group: 1656

U.S. PATENT DOCUMENTS

Initial	Document Number	Date	Name	Class	Sub-Class	Filing Date
A1	6,555,323	29 April 2003	Bamberger et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Sub-Class	Translation
B1	WO 98/37764	3 September 1998	PCT			
C1	WO 98/48784	5 November 1998	PCT			
D1	WO 00/24390	4 May 2000	PCT			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
E1	WO 98/51351	19 September 1998	PCT			
F1	WO 99/31133	24 June 1999	PCT			
G1	WO 00/18912	6 April 2000	PCT			
H1	WO 00/71710	30 November 2000	PCT			
I1	WO 00/78970	28 December 2000	PCT			
J1	WO 00/78971	28 December 2000	PCT			
K1	WO 00/78972	28 December 2000	PCT			

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

L1	Allikmets et al., "Organization of the ABCR Gene: Analysis of Promoter and Splice Junction Sequences," Gene, Vol. 215, pp. 111-122 (1998)
M1	Allikmets et al., "Characterization of the Human ABC Superfamily: Isolation and Mapping of 21 New Genes Using the Expressed Sequence Tags Database," Human Mol. Genet., 5:1649-1655 (1996)
N1	Becq et al., "ABC1, an ATP Binding Cassette Transporter Required for Phagocytosis of Apoptotic Cells, Generates a Regulated Anion Flux after Expression in <i>Xenopus laevis</i> Oocytes," J. Biol. Chem. 272(5):2695-2699 (1997)
O1	Bellosta et al., "Direct Vascular Effects of HMG-CoA Reductase Inhibitors," Atherosclerosis 137:S101-109 (1998) (Abstract)
P1	Blom et al., Nucleic Acids Res., 26:384-386 (1998)
Q1	Bodzioch et al., "The Gene Encoding ATP-Binding Cassette Transporter-1 is Mutated in Tangier Disease," Nat. Genet. 22:347-351 (1999)
R1	Borst, P., "Multidrug Resistant Proteins," Semin. Cancer. Biol. 8:131-134 (1997)
S1	Brooks-Wilson et al., "Mutations in ABC1 in Tangier Disease and Familial High-Density Lipoprotein Deficiency," Nat. Genet. 22:336-345 (1999)

Examiner:

Date Considered:

EXAMINER:

Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Form PTO-1449 INFORMATION DISCLOSURE STATEMENT				Atty. Docket: 760050-91		Serial No.: 10/617,334	
				Applicant: Hayden, et al.			
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U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub- Class	Filing Date
	T1						
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Country	Class	Sub- Class	Translation
	U1						<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	V1	Dean et al., "Evolution of ATP-Binding Cassette Transporter Genes," Curr. Opin. Gen. Dev. 5:779-785 (1995)					
	W1	Drobnik et al., "Activation of Phosphatidylinositol-Specific Phospholipase C in Response to HDL Sub 3 and LDL is Markedly Reduced in Cultured Fibroblasts from Tangier Patients," Arterioscler. Thromb. Vasc. Biol. 15:1369-1377 (1995)					
	X1	Hamon et al., "Interleukin-1 β Secretion is Impaired by Inhibitors of the ATP Binding Cassette Transporter, ABC1," Blood 90(8):2911-2915 (1997)					
	Y1	Hansen et al., "Familial Defective Apolipoprotein B-100," Danish Medical Bulletin 45:370-382 (1998) (Abstract)					
	Z1	Kim-Schultze et al., "Estrogen Stimulates Delayed Mitogen-activated Protein Kinase Activity in Human Endothelial Cells Via an Autocrine Loop That Involves Basic Fibroblast Growth Factor," Circulation 98(5):413-421 (1998) (Abstract)					
	A2	Kuivenhoven et al., "Heterogeneity at the CETP Gene Locus: Influence on Plasma CETP Concentrations and HDL Cholesterol Levels," Arterioscler. Thromb. Vasc. Biol. 17:560-568 (1997)					
	B2	Langmann et al., "Molecular Cloning of the Human ATP-Binding Cassette Transporter 1 (hABC1): Evidence for Sterol-Dependent Regulation in Macrophages," Biochem. Biophys. Res. Comm. 257:29-33 (1999)					
	C2	Lawn et al., "The Tangier Disease Gene Product ABC1 Controls the Cellular Apolipoprotein-mediated Lipid Removal Pathway," J. Clin. Invest. 104:R25-R31 (1999)					
	D2	Luciani et al., "Cloning of Two Novel ABC Transporters Mapping on Human Chromosome 9," Genomics 21:150-159 (1994)					
	E2	Luciani et al., "The ATP Binding Cassette Transporter ABC1 is Required for the Engulfment of Corpses Generated by Apoptotic Cell Death," EMBO Journal 15(2):2053-2059 (1994)					
	F2	Marcil et al., "Cellular Cholesterol Transport and Efflux in Fibroblasts are Abnormal in Subjects with Familial HDL Deficiency," Arterioscler. Thromb. Vasc. Biol. 19:159-169 (1999)					
	G2	Remaley et al., "Human ATP-Binding Cassette Transporter 1 (ABC1): Genomic Organization and Identification of the Genetic Defect in the Original Tangier Disease Kindred," Proc. Nat. Acad. Sci. (USA) 96:12685-12690 (1999)					
Examiner:					Date Considered:		
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U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub- Class	Filing Date
	H2						
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	I2	Rogler et al., "HDL-Mediated Efflux of Intracellular Cholesterol is Impaired in Fibroblasts from Tangier Disease Patients," Arterioscler. Thromb. Vasc. Biol. 15:683-690 (1995)					
	J2	Rust et al., "Assignment of Tangier Disease to Chromosome 9q31 by a Graphical Linkage Exclusion Strategy," Nature Genetics 20:96-98 (1998)					
	K2	Rust et al., "Tangier Disease is Caused by Mutations in the Gene Encoding ATP-Binding Cassette Transporter 1," Nature Genetics 22:352-355 (1999)					
	ML	Savary et al., "Isolation and Chromosomal Mapping of a Novel ATP-Binding Cassette Transporter Conserved in Mouse and Human," Genomics 41:275-278 (1997)					
	M2	Schmitz et al., "ATP-Binding Cassette Transporter A1 (ABCA1) in Macrophages: A Dual Function in Inflammation and Lipid Metabolism?" Pathobiology 67:236-240 (1999)					
	N2	Schrayer et al., "Hypercatabolism of Lipoprotein-free Apolipoprotein A-1 in HDL-Deficient Mutant Chickens," Arteriosclerosis and Thrombosis 14:2053-2059 (1994)					
	O2	Wilson et al., "2.2 Mb of Contiguous Nucleotide Sequence from Chromosome III of C. elegans," Nature 368:32-38 (1994)					
	P2	Chimini et al., GenBank Accession No. X75926 (19 March 1998)					
	Q2	Langman et al., GenBank Accession No. CAA10005 (12 April 1999)					
	R2	Langmann et al., GenBank Accession No. AJ012376 (7 January 1999)					
	S2	Luciani et al., GenBank Accession No. P41233 (1 October 2000)					
	T21	Luciani et al., GenBank Accession No. NM_005502 (3 August 2000)					
	U2	Luciani et al., GenBank Accession No. A54774 (17 March 1999)					
	V2	Rust et al., GenBank Accession No. AF165281 (17 August 1999)					
	W2	Wilson et al., GenBank Accession No. AAC69223 (5 March 1999)					
Examiner:					Date Considered:		
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